IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SEVENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 18197 of 2004

Between:

B. Annavaram (E.750355), S/o B. Narayana Murthy, Ex-Driver
Desapathrunipalem Post, Paravada Mandal, Visakhapatnam District

... PETITIONER

AND

1 The Regiona Manager, APSRTC., Visakhapatnam, Visakhapatnam District
2 The Depot Manager, APSRTC, Gajuvaka Depot, Visakhapatnam District
3 The Depot Manager, APSRTC, Simhachalam Depot, Visakhapatnam District

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate Writ, order or direction, particularly one in the nature of Writ of Certiorari and call for the records relating to the proceedings of the 1st respondent dated 27-4-2004 vide proceedings No. P3/785(6)/04-RM/VSP and quash the same as arbitrary, illegal and contrary to law and consequently direct the respondents herein to re-engage the petitioner as Driver (Causal) immediately, within Visakhapatnam Region

Counsel for the Petitioner: MR.CHALLARI NAGESWARA RAO

Counsel for the Respondents: KUM.B.G.UMA DEVI SC FOR APSRTC

The Court made the following order:

ORDER:

The petitioner was selected as a Driver Grade III in the respondent corporation in the regular selection dated 31.01.1997 and he was kept in the selected list of Drivers. He was engaged as a Casual Driver for a period of one year. Afterwards, he was disengaged on the ground that he got selected on the basis of a non-genuine driving license. Subsequently, the respondent corporation issued Circular No.PD.43/2000 dated 11.08.2000 instructing the concerned authorities to consider the cases of Drivers who are able to produce fresh driving licenses. In pursuance of the said circular the petitioner was issued a notice on 31.08.2000 directing him to produce a fresh driving license. Accordingly, the petitioner produced a fresh driving license. The first respondent passed an order on 27.04.2004 informing the petitioner that his case will be considered for the post of Driver whenever the next recruitment is conducted as per the rules and as per the circular instructions of the Managing Director dated 11.08.2000. The grievance of the petitioner is that the first respondent instead of providing employment to him immediately informed him that he would be considered in the next recruitment.

Since the petitioner is getting over-aged it is essential to consider his case immediately. For the sake of the petitioner there shall not be any direction to the first respondent to take up recruitment of the Drivers, which will be done in the usual course. But in view of the representation of the petitioner that he is becoming over-aged the first respondent is directed to consider his case immediately for

engagement as a Casual Driver till he is considered for appointment in the next recruitment depending on the availability of the work.

The writ petition is accordingly disposed of. No order as to costs.

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Dr. G. YETHIRAJULU, J

October 7, 2004

Dsk

To

1 The Regiona Manager, APSRTC., Visakhapatnam, Visakhapatnam District
2 The Depot Manager, APSRTC, Gajuvaka Depot, Visakhapatnam District
3 The Depot Manager, APSRTC, Simhachalam Depot, Visakhapatnam District

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